

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JAMES BARSTAD,)
) CASE NO. C14-0523RSL-MAT
Plaintiff,)
)
v.)
) ORDER REGARDING SUMMARY
DEPARTMENT OF CORRECTIONS, *et al.*,) JUDGMENT MOTIONS
)
Defendants.)
_____)

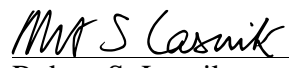
The Court, having reviewed plaintiff's construed motion for summary judgment (Dkt. # 25-2), defendants' motion for summary judgment (Dkt. # 32), the Report and Recommendation of the Honorable Mary Alice Theiler (Dkt. #40), and the parties' objections and replies thereto (including Dkt. # 50), does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Plaintiff's construed motion for summary judgment (Dkt. # 25-1) is DENIED;
- (3) Defendants' motion for summary judgment (Dkt. # 32) is DENIED as to plaintiff's claim that his First Amendment right to free speech was violated when his outgoing

01 mail was restricted in June 2013, but is GRANTED as to all of plaintiff's other claims; and

02 (4) New events and issues not raised in the complaint and for which administrative
03 remedies have not been exhausted have not been considered.

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05 Dated this 23rd day of April, 2015.

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07 Robert S. Lasnik
08 United States District Judge
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